

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Petitioner,

v.

Thomas W. Whalen

Civil No. 12-2912 (PJS/SER)

Respondent.

ORDER

Pamela Marentette, Esq., United States Attorney's Office, 300 South Fourth Street Suite 600, Minneapolis, MN 55415, for Petitioner.

Katherine Menendez, Esq., Office of the Federal Defender, 300 South Fourth Street Suite 107, Minneapolis, MN 55415, for Respondent.

This matter is before the Court on the Report and Recommendation of United States Magistrate Judge Steven E. Rau. The defendant has informed the Court that he will not be objecting to the Report and Recommendation. Accordingly, **IT IS HEREBY ORDERED** that:

1. The Petition to Determine Present Mental Condition of an Imprisoned Person under 18 U.S.C. § 4245 [Doc. No. 1] is **GRANTED**.
2. Respondent shall be committed to the custody of the Attorney General of the United States pursuant to 18 U.S.C. § 4245 for hospitalization and treatment until Respondent is no longer in need of such custody for care and treatment.

Dated: 12/07/12

s/Patrick J. Schiltz
Patrick J. Schiltz
United States District Judge